

**RESOLUTION NO. 08-02
BOARD OF ETHICS
BOROUGH OF DUMONT
COUNTY OF BERGEN
STATE OF NEW JERSEY**

**A RESOLUTION AMENDING AND SUPPLEMENTING
THE BOROUGH OF DUMONT
CODE OF ETHICS**

WHEREAS, the Dumont Borough Board of Ethics adopted Resolution 07-01 on November 27, 2007, after public hearing, and such Resolution established the Dumont Borough Code of Ethics; and

WHEREAS, the Resolution was submitted to the New Jersey Local Finance Board for approval pursuant to N.J.S.A. 40A:9-22.5; and,

WHEREAS, the New Jersey Local Finance Board approved the Code of Ethics at its regular meeting on January 9, 2008, contingent upon the Borough of Dumont Board of Ethics adopting a further Resolution making certain amendments to the Code of Ethics, established by Resolution 07-01, specified in its February 5, 2008 correspondence to the Acting Board Attorney;

NOW THEREFORE, BE IT RESOLVED by the Ethics Board of the Borough of Dumont, County of Bergen, State of New Jersey, that the Dumont Borough Code of Ethics established by Resolution 07-01 is hereby amended as follows:

1.1 Definitions

"Relative" -- means any of the following relations of a local government officer or employee by adoption, blood or marriage: spouse, parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew, niece or first cousin.

1.3 Code of Ethics

- c. No local government officer or employee shall use or attempt to use his or her official position to secure unwarranted privileges or advantages for himself or others based on his/her position as a local government officer or employee;
- d. No local government officer or employee shall act in his or her official capacity in any matter where he or she or a member of his or her immediate family or his/her relative, or a business organization in which he or she has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his or her objectivity or independence of judgment;

Underlines mean additions; ~~strikethroughs~~ mean deletions

1.5 Enforcement of the Code of Ethics, Penalties and Disciplinary Action

f. Penalties

- i. An *appointed* local government officer or employee whose conduct is found to be in conflict with any provision of the Dumont Borough Code of Ethics and/or non-compliant with the Financial Disclosure Filing Requirement shall be fined not less than \$100.00 nor more than ~~\$500.00~~, which penalty may be collected in a summary proceeding pursuant to the "penalty enforcement law" (N.J.S.A. 2A:58-1 et seq.). The Board of Ethics shall submit its findings to the office or agency having the power of removal or discipline of the appointed local government officer or employee, where applicable. The Board of Ethics may recommend to such office or agency that further disciplinary action be taken against said local government officer or employee by a vote of no less than a two-thirds (2/3) of the entire membership of the Board.
- ii. An *elected* local government officer or employee whose conduct is found to be in conflict with any provision of the Dumont Borough Code of Ethics and/or non-compliant with the Financial Disclosure Filing Requirement shall be fined not less than \$100.00 nor more than ~~\$500.00~~, which penalty may be collected in a summary proceeding pursuant to the "penalty enforcement law" (N.J.S.A. 2A:58-1 et seq.).

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BE IT FURTHER RESOLVED:

Pursuant to the direction of the New Jersey Local Finance Board, this Board shall hold a public hearing on the amended Code of Ethics after the passage of thirty (30) calendar days of the promulgation of this Resolution, and in no event later than sixty (60) calendar days of promulgation. The Board of Ethics sets the date of public hearing as April 17, 2008. Any local government officer or employee and any member of the public wishing to be heard shall be permitted to testify. Upon completion of the public hearing and if adopted by the Board at said hearing, this Board shall forward the Dumont Borough Code of Ethics, as amended herein, to the New Jersey Local Finance Board for approval.

Dated: 2/22, 2008

Joanne Westphal, Chairperson

I hereby certify that this is a true copy of a Resolution adopted by the Borough of Dumont Ethics Board, Borough of Dumont, County of Bergen, State of New Jersey at its regular meeting held on the 21st day of February 2008.

Kathleen Schaefer

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